

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-2372

Marion S. Harger,

Appellant,

v.

Missouri Board of Probation and
Parole, et al.,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Missouri.

[UNPUBLISHED]

Submitted: January 6, 2011
Filed: January 18, 2011

Before LOKEN, MURPHY, and BENTON, Circuit Judges.

PER CURIAM.

Missouri inmate Marion Harger appeals the district court's¹ order dismissing his 42 U.S.C. § 1983 action for failure to state a claim. After careful de novo review, see Blankenship v. USA Truck, Inc., 601 F.3d 852, 853 (8th Cir. 2010), we agree with the district court that Harger failed to allege a constitutional violation. He has no liberty interest in parole, see Adams v. Agniel, 405 F.3d 643, 645 (8th Cir. 2005), and he failed to show that application of the 2008 Missouri parole statutes and regulations,

¹The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.

instead of those in effect in 1988 when his offenses were committed, resulted in either an Ex Post Facto Clause or Equal Protection Clause violation. See Nolan v. Thompson, 521 F.3d 983, 987-90 (8th Cir. 2008); McCall v. Delo, 41 F.3d 1219, 1221 (8th Cir. 1994).

Accordingly, we affirm. See 8th Cir. R. 47B.
